

## Article - Health Occupations

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§1A-309.

Subject to the hearing provisions of § 1A-310 of this subtitle, the Board, on the affirmative vote of a majority of its full authorized membership, may deny a license to practice acupuncture to any applicant, reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:

- (1) Fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;
- (2) Fraudulently or deceptively:
  - (i) Uses a license; or
  - (ii) Solicits or advertises;
- (3) Is guilty of immoral or unprofessional conduct in the practice of acupuncture;
- (4) Is professionally, physically, or mentally incompetent;
- (5) Provides professional services while:
  - (i) Under the influence of alcohol; or
  - (ii) Using any narcotic or controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article, or other drug that is in excess of therapeutic amounts or without a valid medical indication;
- (6) Knowingly violates any provision of this title or any rule or regulation of the Board adopted under this title;
- (7) Is convicted of or pleads guilty or nolo contendere to a felony or to a crime involving moral turpitude, whether or not any appeal or other proceeding is pending to have the conviction or plea set aside;
- (8) Practices acupuncture with an unauthorized person or assists an unauthorized person in the practice of acupuncture;

(9) Is disciplined by the licensing or disciplinary authority of any state or country or convicted or disciplined by a court of any state or country for an act that would be grounds for disciplinary action under this section;

(10) Willfully makes or files a false report or record in the practice of acupuncture;

(11) Willfully fails to file or record any report as required by law, willfully impedes or obstructs the filing or recording of the report, or induces another to fail to file or record the report;

(12) Submits a false statement to collect a fee;

(13) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the person is licensed and qualified to render because the individual is HIV positive;

(14) Fails to display the notice required under § 1A-313 of this subtitle;

(15) Fails to cooperate with a lawful investigation conducted by the Board;

(16) Commits any act of gross negligence, incompetence, or misconduct in the practice of acupuncture;

(17) Engages in a course of conduct that is inconsistent with generally accepted professional standards in the practice of acupuncture; or

(18) Fails to comply with any Board order.

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